UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/732,960	12/11/2003	Graham N. Pearce	555255012668	9286

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ART UNIT	PAPER NUMBER
2617	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/732,960	PEARCE, GRAHAM N.
	Examiner	Art Unit
	EMEM STEPHEN	2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 January 2008*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-19 and 21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-19 and 21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *11 December 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All   b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments filed 01/15/2008 have been fully considered but they are

not persuasive.

Applicant's argument that Boltz fails to discloses a private communication

network which is not part of any wireless communication network within which the

mobile device is configured to operate is not persuasive for the reason that Boltz

discloses that the mobile station 20 roams into a new MSC/VLR area 12 (col. 3 lines 10-

19), when the mobile roams into a new service area, then the mobile is operating in a

different network from that of the host enterprise server. Boltz further discloses other

MSC/VLR areas 12 within the PLMN or other PLMNs, a Public Switched Telephone

Network (PSTN), an Integrated Services Digital Network (ISDN) or other wireline or

wireless systems. Boltz further discloses a long distance, toll calling restriction (col. 5

lines 33-50). However fails to specifically disclose the long distance call being indicative

of one or more country codes or area codes. The examiner notes that long distance

calling includes one or more country codes or area codes, therefore it is inherent in

Boltz. Kirbas discloses the long distance call being indicative of one or more country

codes or area codes (abstract, pars. 3-4, and 21-24). Therefore, the applied reference

discloses applicant's argued limitation, and therefore rejections are maintained and

repeated below.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

1.   Determining the scope and contents of the prior art.
2.   Ascertaining the differences between the prior art and the claims at issue.
3.   Resolving the level of ordinary skill in the pertinent art.
4.   Considering objective evidence present in the application indicating obviousness or nonobviousness.

2.   **Claims 1-19, and 21** are rejected under 35 U.S.C. 103(a) as being unpatentable

over US Patent No. 6081731 to Boltz et al. in view of U S. Publication No.

2002/0165012 A1 to Kirbas et al.

Regarding claims 1, and 5, Boltz discloses in a wireless communication device

(20) for use by an individual of an enterprise (carries such as AT&T), a method for use

in providing restrictions on long distance calls attempted from the wireless

communication device through a wireless communication network (col. 1 lines 31-40)

with use of a host enterprise server (MSC/VLR service area 12), the method comprising

the acts of: regularly performing data synchronization, over a wireless link of the

wireless communication network, for user data items of a personal information manager

application of the wireless device and corresponding user data items stores in

association with the host enterprise server (col. 3 lines 30-52), the host enterprise

server being connected in a private communication network of the enterprise which is

not part of any wireless network within which the wireless device is adapted to operate

(col. 2 lines 50-53, and col. 3 lines 10-20, service area/network 10 which is the home

network is a different service area from service area/network 12 the visitor network);

receiving, over a wireless link of the wireless network, long distance call restriction

information from the host enterprise server in the private communication network (col. 3

lines 10-29, and col. 5 lines 40-50), the host enterprise server having the long distance

call restriction information stored in a user profile which is unique to the individual and

being one of a plurality of user profiles for the individuals of the enterprise (col. 3 lines

20-25), storing the long distance call restriction information received for the host

enterprise server (col. 3 lines 25-29, and col. 5 lines 40-50); determining, at the wireless

device of the individual, whether a call attempt from the wireless device is restricted by

comparing the call attempt from the wireless device with the long distance call

restriction information (col. 5 lines 33-50); if the wireless device determines that the call

attempt is restricted by the long distance call restriction information, inhibiting the call

attempt from the wireless device over the wireless network; and if the wireless device

determines that the call attempt is not restricted by the long distance call restriction

information, allowing the call attempt from the wireless device for establishing a call

over a wireless network (col. 1 lines 30-40, and col. 5 lines 59-67).

However, Boltz fails to specifically disclose the long distance call being indicative of one or more country codes or area codes.

Kirbas discloses the long distance call being indicative of one or more country codes or area codes (abstract, pars. 3-4, and 21-24).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Boltz with the teaching of Kirbas for achieving the result of only restricting calls to a particular area code (see par. 3).

Regarding claims 11, and 19, Boltz discloses a communication system, comprising: a host enterprise server (i.e. MSC/VLR 17) which is configured to connect a host computer network (col. 2 lines 50-53, and col. 3 lines 10-20, service area/network 12) of an enterprise; memory in the host enterprise server; the memory for storing user profile information which is unique to a wireless communication device or a subscriber thereof in the enterprise (col. 3 lines 20-25); the user profile information including long distance call restriction information (col. 3 lines 25-29, and col. 5 lines 40-50); the host enterprise server being configured to connect with the host computer network which is not part of any wireless communication network within which the wireless device is adapted to operate (col. 2 lines 50-53, and col. 3 lines 10-20, service area/network 10 which is the home network is a different service area from service area/network 12 the visitor network); the host enterprise server being further configured to regularly perform data synchronization, over a wireless link of a wireless communication network, for user data items of a personal information manager application of the wireless device and

corresponding user data items stored in association with the host enterprise server (col.

3 lines 30-52); the host enterprise server being further configured to cause the long

distance call restriction information to be sent to wireless device though the host

computer network and the wireless network (col. 3 lines 10-52, and col. 5 lines 40-50);

the wireless device including: a radio modem which is configured to receive the long

distance call restriction information though the wireless network; memory which stores

the long distance call restriction information; a user interface which is configured to

receive a telephone call attempt from the subscriber of the wireless device; a controller

which is configured to: determine (col. 5 lines 33-50, this are well known in the art)

whether the call attempt is restricted by comparing the call attempt with the long

distance call restriction information; if the call attempt is restricted by the long distance

call restriction information, inhibit the call attempt from the wireless device over the

wireless network; and if the call attempt is not restricted by the long distance call

restriction information, allow the call attempt from the wireless device for establishing a

call over the wireless network (col. 5 lines 33-50, and col. 3 lines 50-67).

However, Boltz fails to specifically disclose determine whether the call attempt is

restricted by comparing a country code or area code of a telephone number of the call

attempt with the one or more country codes or area codes of the long distance call

restriction information.

Kirbas discloses determine whether the call attempt is restricted by comparing a

country code or area code of a telephone number of the call attempt with the one or

more country codes or area codes of the long distance call restriction information

(abstract, pars. 3-4, and 21-24).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time of the invention to modify the invention of Boltz with the teaching of Kirbas for

achieving the result of only restricting calls to a particular area code (see par. 3).

Regarding claims 14 and 16-17, Boltz discloses in a wireless communication

device (20) configured for use by an individual of an enterprise, a method of providing

restrictions on long distance calls from the wireless device (col. 1 lines 31-40)

comprising the acts of: regularly performing data synchronization, over a wireless link of

the wireless communication network, for user data items of a personal information

manager application of the wireless device and corresponding user data items stores in

association with a host enterprise server (col. 3 lines 30-52), the host enterprise server

being connected in a private network of the enterprise which is not part of any wireless

communication network within which the wireless device operates (col. 2 lines 50-53,

and col. 3 lines 10-20, service area/network 10 which is the home network is a different

service area from service area/network 12 the visitor network);

receiving from a user interface of a wireless device of the individual, a selection

of plurality of telephone call digits of a telephone number associated with a telephone

call attempt for a telephone call from the wireless device (col. 6 liens 23-24, call

originating from a mobile subscriber, inherently, calls attempted are by a dialing a

plurality of digits): in response to the telephone call attempt: transmitting to the host

enterprise server(VLR 16) of the private network (col. 3 lines 54-67, and col. 6 lines 44-57), a query request to identify whether the telephone call to the telephone number should inhibited based on long distance call restriction information stored in the host enterprise server (col. 3 lines 10-67).

However, Boltz fails to disclose identify whether the call attempt is restricted by comparing a country code or area code of a telephone number of the call attempt with the one or more country codes or area codes of the long distance call restriction information.

Kirbas discloses determine whether the call attempt is restricted by comparing a country code or area code of a telephone number of the call attempt with the one or more country codes or area codes of the long distance call restriction information (abstract, pars. 3-4, and 21-24).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Boltz with the teaching of Kirbas for achieving the result of only restricting calls to a particular area code (see par. 3).

Regarding claims 2-3, 6, and 13, the combination of Boltz and Kirbas discloses the wireless device and system of claims 1 and 11, acts of the method are performed for each one of a plurality of wireless communication devices associated with the plurality of user profiles of the enterprise, and wherein the memory of the host enterprise server is for storing a plurality of user profiles which are unique to each user or subscriber (col. 3 line 20-29).

Regarding claim 4, 9, and 21, the combination of Boltz and Kirbas discloses wherein data items do the personal information manager application comprise at least one of email and message data items and calendar event data items (this is well known in the art with mobile phones).

Regarding claims 7, and 8, the combination of Boltz and Kirbas discloses the wireless device of claim 5, wherein the long distance call restriction information comprises the one or more country codes (pars. 3-4).

Regarding claim 10, the combination of Boltz and Kirbas discloses the wireless device of claim 5, further comprising: a smart card interface for receiving a smart card; and wherein the radio modem receives long distance call restriction information of the user profile which uniquely corresponds to an identifier stored on the smart card (Kirbas, see figure 1, and paragraph 0017).

Regarding claim 12, the combination of Boltz and Kirbas discloses the communication system of claim 11, wherein the host server is configured to connect with the host computer network, which is a private communication network (col. 2 lines 50-53, and col. 3 lines 10-20, service area/network 10 which is the home network is a different service area from service area/network 12 the visitor network).

Regarding claim 15, the combination of Boltz and Kirbas discloses the

method of claim 14, comprising the further act of: transmitting the query only if the

telephone number is identified as being a long distance telephone number (Kirbas,

paragraphs 0006, and 0022).

Conclusion

3.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to EMEM STEPHEN whose telephone number is 571 272

8129. The examiner can normally be reached on 8-5 Mon-Fri..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Charles Appiah can be reached on 571 272 7904. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

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USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/EMEM STEPHEN/
Examiner, Art Unit 2617
ES
04/15/2008

/Charles N. Appiah/
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